



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

10/736,884

12/16/2003

Yoshiki Fukui

9319S-000591

5751

27572 7590 02/26/2010
HARNESS, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

DURAN, ARTHUR D

ART UNIT

PAPER NUMBER

3622

MAIL DATE

DELIVERY MODE

02/26/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 10/736,884 | Applicant(s) FUKUI, YOSHIKI | |
| | Examiner Arthur Duran | Art Unit 3622 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/16/03</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-10 have been examined.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshifumi (JP 2002-290964) in view of Kadowaki (20020171637) in view of Berman (5,523,791).

Claims 1, 2, 8, 9, 10: Yoshifumi (Applicant's IDS dated 12/16/2003) discloses many relevant features to the Applicant's claims (Applicant's Specification, Background Section [2, 7, 8, 10]). Yoshifumi further discloses an information presentation system comprising:

a reflected-image displaying medium for displaying a reflected image of a peripheral surroundings that will be reflected in a mirror when a target person to whom information is presented looks at the mirror;

presentation-information storing means for storing presentation information to be presented; and

information displaying means for displaying the information in the reflected-image displaying medium based on the presentation information stored in the presentation-information storing means;

wherein the information displaying means superimposes the information on the reflected image displayed in the reflected-image displaying medium to display the superimposed information as part of the image, based on the presentation information stored in the presentation-information storing means (Applicant's Specification concerning Yoshifumi [2, 7, 8, 10]; and, Yoshifumi, ([40, 20, 48,49,50]), claims 6-9).

Yoshifumi further discloses that the information can be advertising ([40]).

Also, notice in these citations that a variety of Internet, advertising, and video content can be integrated with the mirror image. Also, note that the superimposed content is integrated with the overall mirror image.

Yoshifumi does not explicitly disclose that the background of the user is a key part of the image or that the advertising/content is integrated with the background carefully such as to look like part of the mirror image.

However, Kadowaki discloses presenting advertising in an attractive manner to the user ([662]) and that a mirror image of a user including the background of the user can be presented (Figure 46; [707, 708-710]).

And, Berman discloses advertising or a variety of content overlayed with a main image such that the images are well integrated (Figure 1; col 1, lines 11-25; col 1, lines 40-55; col 2, lines 15-40; col 3, lines 13-25; col 3, lines 39-col 4, line 15). Also, notice that Berman's invention can work with broadcast signals (col 2, lines 15-20).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Kadowaki's advertising and mirror image with background and Berman's advertising and overlaying of imagined/created content to actual content to

Yoshifumi's mirror image with added advertising/content. One would have been motivated to do this in order to better present advertising/content in a manner of interest to the user.

Claim 3: The combination of the prior art renders obvious the advertisement presentation system according to claim 2, and Yoshifumi further discloses that the reflected-image displaying medium further comprises displaying means in which an image can be displayed, the advertisement presentation system further comprises a plurality of landscape-image capturing means for capturing landscape images around the reflected-image displaying medium and mirror-image generating means for generating a mirror image of the peripheral landscape around the reflected-image displaying medium based on the landscape images captured with the landscape-image capturing means, and wherein the advertisement displaying means superimposes the advertisement image on the mirror image that is generated in the mirror-image generating means to display the superimposed advertisement image in the displaying means as part of the peripheral landscape, based on the advertising information stored in the advertising-information storing means (see the rejection above; also, further see Kadowaki (Figure 46; [707, 708-710, 662])).

Claim 4: The combination of the prior art renders obvious the advertisement presentation system according to claim 3, and Yoshifumi further discloses positional-relationship detecting means for detecting positional relationship between the reflected-image displaying medium and the target person, wherein, when the reflected-image displaying medium is a plane mirror that faces a predetermined direction, the mirror-image generating means generates the mirror image of the peripheral landscape that will be reflected in the plane mirror viewed from the target person based on the result detected with the positional-relationship detecting means (see the

Art Unit: 3622

rejection above; also, note that Yoshifumi varies the mirror image based on the position of the user in order to present a realistic mirror image).

Claim 5: The combination of the prior art renders obvious the advertisement presentation system according to claim 4, and Yoshifumi further discloses target-person-image capturing means for capturing an image of the target person, wherein the positional-relationship detecting means detects the positional relationship between the reflected-image displaying medium and the target person based on the image captured with the target-person-image capturing means (see the rejection above; also, note that Yoshifumi varies the mirror image based on the position of the user in order to present a realistic mirror image).

Claim 6: The combination of the prior art renders obvious the advertisement presentation system according to claim 4, and Yoshifumi further discloses positional-information acquiring means for acquiring positional information of a communication terminal that the target person carries via communication with the communication terminal, wherein the positional-relationship detecting means detects the positional relationship between the reflected-image displaying medium and the target person based on the positional information acquired with the positional-information acquiring means (see the rejection above; also, note that Yoshifumi varies the mirror image based on the position of the user in order to present a realistic mirror image).

Claim 7: The combination of the prior art renders obvious the advertisement presentation system according to claim 3, and Yoshifumi further discloses that face-image capturing means for capturing a face image of a person around the reflected-image displaying medium and sight-

Art Unit: 3622

line detecting means for detecting that the person turns his/her line of sight onto the reflected-image displaying medium based on the face image captured with face image capturing means,

wherein the person who is detected turning his/her line of sight onto the reflected-image displaying medium with the sight-line detecting means is the target person and wherein, when the reflected-image displaying medium is the plane mirror that faces a predetermined direction, the mirror-image generating means generates the mirror image of the peripheral landscape that will be reflected in the plane mirror viewed from the target person (see the rejection above; also, note that Yoshifumi varies the mirror image based on the position and the facial angle of the user in order to present a realistic mirror image).

3. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yoshifumi (JP 2002-290964) in view of Giving Up the Ghosts (About.com: Theme Parks) and Haunted Mansion by Karen Eliot.

Claims 1, 2, 8, 9, 10: Yoshifumi (Applicant's IDS dated 12/16/2003) discloses many relevant features to the Applicant's claims (Applicant's Specification, Background Section [2, 7, 8, 10]). Yoshifumi further discloses an information presentation system comprising:

a reflected-image displaying medium for displaying a reflected image of a peripheral surroundings that will be reflected in a mirror when a target person to whom information is presented looks at the mirror;

presentation-information storing means for storing presentation information to be presented; and

information displaying means for displaying the information in the reflected-image displaying medium based on the presentation information stored in the presentation-information storing means;

wherein the information displaying means superimposes the information on the reflected image displayed in the reflected-image displaying medium to display the superimposed information as part of the image, based on the presentation information stored in the presentation-information storing means (Applicant's Specification concerning Yoshifumi [2, 7, 8, 10]; and, Yoshifumi, ([40, 20, 48,49,50]), claims 6-9).

Yoshifumi further discloses that the information can be advertising ([40]).

Also, notice in these citations that a variety of Internet, advertising, and video content can be integrated with the mirror image. Also, note that the superimposed content is integrated with the overall mirror image.

Yoshifumi does not explicitly disclose that the background of the user is a key part of the image or that the advertising/content is integrated with the background carefully such as to look like part of the mirror image.

However, the article "Giving Up the Ghosts" with the picture "How'd they do that?" and the Haunted Mansion by Karen Eliot describe a mirror where the user see himself in the reflection and the surroundings of the user are replaced in the reflection with a specific content in the reflection that does not actually occur in the real surroundings. Also, note that the added content in the reflection are specifically integrated in a particular way so as to attain a maximum effect. Also, in terms of the technology disclosed in the "Giving Up the Ghosts" article,

Examiner takes Official Notice that he experienced this very ride and special effect in the summer of 1985 during a trip to Disney that included riding the Haunted Mansion.

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add the Haunted Mansion's mirror image with added content integrated in a particular way with the actual scene can be added to Yoshifumi's mirror image with added advertising/content. One would have been motivated to do this in order to better get the attention of the user and present advertising/content in a manner of interest to the user.

Claims 3-7: Please see the rationale for the rejection of the dependent claims above.

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a) Rosser (5,264,933) and Cristofalo (20020152117) disclose overlaying of ads into images; Weinreich discloses mirror images with advertising added; Adriansen discloses integrating ad content and background content; Rottcher discloses intergrating a mirror image and ad content.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3622

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arthur Duran
Primary Examiner
Art Unit 3622

/Arthur Duran/
Primary Examiner, Art Unit 3622
6/15/09